

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ALEX BERENSON,

Plaintiff,

-against-

JOSEPH R. BIDEN, JR., et al.,

Defendants.

23-CV-3048 (JGLC)

**ORDER**

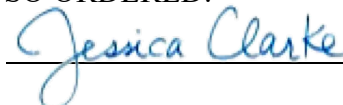
JESSICA G. L. CLARKE, United States District Judge:

Before the Court is the Federal Defendants’ motion for a temporary stay to (1) allow the Department of Justice time to reassess its position with respect to the official capacity defendants in light of Executive Order 14149; and (2) if necessary, provide the individual capacity defendants time to determine whether they should retain separate counsel based on any new position that DOJ ultimately takes. ECF No. 122. Having reviewed this motion and considered the parties’ arguments and positions as stated at the April 23, 2025 conference, the Court GRANTS a temporary stay as to the Federal Defendants in light of Plaintiff’s consent. However, given the age of this case and the issues raised in this action, the Court DENIES a stay as to the remaining defendants (Slavitt, Gottlieb, and Bourla, collectively the “Remaining Defendants”), who strongly object to a full stay of this action. The Court will therefore proceed with considering, and issuing a ruling on, the Remaining Defendants’ motions to dismiss (ECF Nos. 89, 94) in the coming weeks. The Court will not schedule an oral argument prior to ruling on these motions.

The Clerk of Court is respectfully directed to terminate ECF No. 122.

Dated: April 25, 2025  
New York, New York

SO ORDERED.



JESSICA G. L. CLARKE  
United States District Judge